

AMENDMENT UNDER 37 C.F.R. 1.111
U.S. Appln. No. 10/782,870

REMARKS

Claims 1, 12 and 13 have been amended to incorporate therein the recitation of claim 2.

Claims 2, 3, 16 and 17 have been canceled. Claim 14 (method) has been amended to include all of the limitations of device claim 12.

Claims 1, 4, 6, 13, 16 and 17 are rejected; claims 7-11 and 15 are allowed; claims 2 and 3 are objected to as being allowable if rewritten in independent form; and claims 5, 12 and 14 have been withdrawn from consideration as being directed to a non-elected invention.

Review and reconsideration on the merits are requested.

Claims 1, 4, 6 and 13 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0053766 A1 to Cheng et al.

In response, claims 1 and 13 have been amended to incorporate therein the recitation of claims 2 and 3, to thereby obviate the foregoing rejection. Withdrawal is respectfully requested.

In response to the rejection over U.S. Patent No. 5,631,988 to Swirhun et al., claims 16 and 17 have been canceled.

Should elected claim 1 now be deemed allowable, Applicants respectfully request the Examiner to consider patentability of non-elected claim 5 which depends on claim 1.

Furthermore, Applicants acknowledge their election without traverse of claims 1-4, 6-11, 13 and 15-17. However, considering that claims 12 and 14 have been amended to incorporate therein the recitation of claims 2 and 3, namely, features which patentably distinguish over the prior art, it is respectfully submitted that withdrawal of the Election of Species requirement and examination of claims 12 and 14 would not impose any further burden on the Office. That is, it

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is respectfully submitted that claims 12 and 14 are patentable for the same reasons that amended claim 1 is patentable over the prior art.

Withdrawal of all rejections and allowance of claims 1 and 4-15 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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